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12-3-02  
P.2

Docket No.: 08182.P132

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

Eugene T. Wang, et al.

Application No: 09/346,110

Filed: June 30, 1999

For: COMMON BACKPLANE FOR PHYSICAL  
LAYER SYSTEM AND NETWORKING  
LAYER SYSTEM

) Examiner: Emdadi, Kamran

) Art Unit: 2664

) Confirmation No.: 2024

Commissioner for Patents  
Washington, D.C. 20231

**DECLARATION OF PRIOR INVENTION IN THE UNITED STATES TO  
OVERCOME CITED PATENT OR PUBLICATION (37 C.F.R. §1.131)**

Sir:

We the undersigned are the co-inventors of the above-identified patent application which has been assigned to Cisco Systems, Inc. The declaration made herewith is to establish invention of the claimed subject matter at a date prior to June 3, 1999, which is the filing date of U.S. Patent No. 6,359,859 B1. We hereby declare that we have reviewed the application, including the claims of the present application and that:

- 1) our invention was conceived prior to June 3, 1999; and
- 2) due diligence was exercised from a time prior to June 3, 1999 to the subsequent filing of the above identified application on June 30, 1999.

Exhibit A is a copy of the invention disclosure form that we submitted to the patent application administration service of Cisco Systems, Inc. for the above-identified patent application. It has a date of submission of September 28, 1998 and therefore serves as proof that we conceived our invention prior to June 3, 1999.

Exhibit B is a copy of a letter that we received along with a first draft of the above-referenced patent application. The letter is dated April 13, 1999 and serves as proof that we received a first draft of the above-referenced patent application on or about April 13, 1999.

Exhibit C is a copy of a letter that we received along with a proposed final draft of the above-referenced patent application. The letter is dated June 10, 1999 and serves as proof that we received a final draft of the above-referenced patent application on or about June 10, 1999.

Exhibits B and C together serve as proof that due diligence was exercised from a time prior to June 3, 1999 (starting at least by the April 13, 1999 timeframe) to the subsequent filing of the above identified application on June 30, 1999 (having received an intermediary draft on or about June 10, 1999).

Based on the above description and as is evident from the attached exhibits: 1) the conception of the subject matter described in the above-referenced patent application was prior to June 3, 1999; and, 2) due diligence was exercised from a time prior to June 3, 1999 to the subsequent filing of the above identified application on June 30, 1999.

As the below signed inventors, we, Eugene Wang, Nang Tran, Norman Tang, and Vu Nguyen hereby declare all statements of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made knowing that willful false

statements and the like are punishable by fine or imprisonment, or both under § 1001 of Title 18 USC; and such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Date: \_\_\_\_\_, 2002

\_\_\_\_\_  
Signature

Full Legal Name: Eugene T. Wang  
Citizenship: U.S.A.

Date: 11/15, 2002

  
\_\_\_\_\_  
Signature

Full Legal Name: Nang Tran  
Citizenship: U.S.A.

Date: \_\_\_\_\_, 2002

\_\_\_\_\_  
Signature

Full Legal Name: Norman Tang  
Citizenship: U.S.A.

Date: \_\_\_\_\_, 2002

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Signature

Full Legal Name: Vu Nguyen  
Citizenship: U.S.A.



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**Technology Center 2600**

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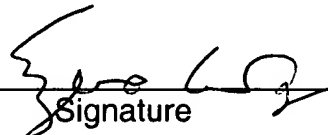
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statements and the like are punishable by fine or imprisonment, or both under § 1001 of Title 18 USC; and such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Date: 11/18, 2002

  
Signature


Full Legal Name: Eugene T. Wang  
Citizenship: U.S.A.

Date: \_\_\_\_\_, 2002

\_\_\_\_\_  
Signature

Full Legal Name: Nang Tran  
Citizenship: U.S.A.

Date: 11/14, 2002

  
Signature

Full Legal Name: Norman Tang  
Citizenship: U.S.A.

Date: \_\_\_\_\_, 2002

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Full Legal Name: Vu Nguyen  
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Citizenship: U.S.A.

Date: \_\_\_\_\_, 2002

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Citizenship: U.S.A.

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Citizenship: U.S.A.